

Message Text

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S E C R E T SECTION 1 OF 2 GENEVA 4432

EXDIS USSALTTWO

E.O. 11652: XGDS-1
TAGS: PARM
SUBJECT: DEPUTY MINISTER SEMENOV'S STATEMENT OF JUNE 3, 1977
(SALT TWO - 1210)

THE FOLLOWING ARE STATEMENTS DELIVERED BY DEPUTY MINISTER
SEMENOV AT THE SALT TWO MEETING OF JUNE 3, 1977.

SEMENOV'S FIRST STATEMENT, JUNE 3, 1977

IN ITS STATEMENTS AT THE MEETINGS OF MAY 13 AND 27, 1977
THE U.S. DELEGATION ADDRESSED THE QUESTIONS INVOLVED IN
REACHING AGREEMENT ON PROVISIONS REGARDING THOSE ASPECTS OF
ARTICLE XVI, PAR. 3, AND THE AGREED STATEMENT THERETO WHICH
IS BEING WORKED OUT, ON WHICH THERE ARE STILL DIFFERENCES
BETWEEN US.

IN THIS CONNECTION, THE USSR DELEGATION HAS THE FOLLOWING
TO STATE.

ARTICLE XVI OCCUPIES AN IMPORTANT PLACE IN THE CONTEXT
OF THE OBLIGATIONS WHICH WILL BE ASSUMED BY THE SIDES UNER
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THE NEW AGREEMENT BEING PREPARED.

THE AGREED PARAGRAPH 1 OF THIS ARTICLE CONTAINS A CLEAR
REFLECTION OF THE AGREEMENT BETWEEN THE SIDES THAT, FOR THE
PURPOSE OF PROVIDING ASSURANCE OF COMPLIANCE WITH THE PROVI-
SIONS OF THE AGREEMENT, EACH SIDE WILL USE NATIONAL TECHNIAL
MEANS AT ITS DISPOSAL IN A MANNER CONSISTENT WITH GENERALLY

RECOGNIZED PRINCIPLES OF INTERNATIONAL LAW. PARAGRAPH 2 ALSO RECORDS MUTUAL AGREEMENT CONCERNING THE OBLIGATION NOT TO INTERFERE WITH NATIONAL TECHNICAL MEANS OF VERIFICATION OPERATING IN ACCORDANCE WITH PARAGRAPH 1 OF THIS ARTICLE.

IN ESSENCE, THE POSITIONS OF THE SIDES ALSO COINCIDE WITH RESPECT TO SOME ASPECTS OF ARTICLE XVI, PAR. 3, AND THE AGREED STATEMENT THERETO. IN PARTICULAR, THERE IS A PROXIMITY OF VIEWS TO THE EFFECT THAT TESTING OF ANTI-MISSILE DEFENSE PENETRATION AIDS DOES NOT CONSTITUTE DELIBERATE CONCEALMENT MEASURES.

I WOULD LIKE TO EMPHASIZE THAT THE PURPOSE OF THE FORMULATIONS BEING WORKED OUT WITH REGARD TO THE CONCEPT OF "DELIBERATE CONCEALMENT MEASURES" IS TO ENSURE THAT ITS ESSENCE IS CLEAR AND AT THE SAME TIME TO PRECLUDE INVOLVEMENT IN THIS OF OTHER ISSUES, CONTRARY TO THE OBJECTIVES AND PURPOSE OF THE AGREEMENT BEING PREPARED.

THE RELEVANT SOVIET PROPOSALS UNDER CONSIDERATION BY THE DELEGATIONS FULLY MEET THIS PURPOSE.

THE PROPOSAL OF THE SOVIET SIDE FOR THE TEXT OF THE AGREED STATEMENT BEING WORKED OUT IN CONNECTION WITH ARTICLE XVI, PAR. 3, CONTAINS A PROVISION ON TESTING, WHICH WAS INCLUDED IN OUR WORDING TAKING INTO ACCOUNT THE CONSIDERATIONS EXPRESSED BY THE U.S. DELEGATION. IT IS EVIDENT FROM THE U.S. DELEGATION'S STATEMENT AT THE MAY 27, 1977 MEETING THAT THE U.S. SIDE CORRECTLY UNDERSTANDS THAT THE CORRESPONDING
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FORMULATION IN THE SOVIET PROPOSAL FOR THE AGREED STATEMENT APPLIES TO ALL THE PROVISIONS OF THE DRAFT AGREEMENT, ASSOCIATED WITH TESTING, AND NOT ONLY TO THOSE WHICH DIRECTLY MENTION TESTING. IN THIS CONNECTION, THE AFOREMENTIONED FORMULATION CONCERNING "PROVISIONS ASSOCIATED WITH TESTING" EXPRESSES THE INTERRELATIONSHIP BETWEEN THE OBLIGATIONS UNDER ARTICLE XVI, PAR. 3, AND THE OTHER RELEVANT PROVISIONS OF THE AGREEMENT BEING WORKED OUT.

THE SOVIET SIDE ALSO PROPOSES THAT THE WORDING OF ARTICLE XVI, PAR. 3, CONTAIN A PROVISION TO THE EFFECT THAT THE OBLIGATION NOT TO USE DELIBERATE CONCEALMENT MEASURES SHALL NOT REQUIRE CHANGES IN CURRENT TESTING PRACTICES.

INCLUSION OF SUCH A PROVISION, WHICH IS ANALOGOUS TO THE PROVISION AGREED BETWEEN THE SIDES TO THE EFFECT THAT THE OBLIGATION REFERRED TO IN ARTICLE XVI, PAR. 3, SHALL NOT REQUIRE CHANGES IN CURRENT CONSTRUCTION, ASSEMBLY, CONVERSION OR OVERHAUL PRACTICES, IS IN ACCORD WITH THE

TASK OF ENSURING CLARITY OF THE FORMULATIONS REGARDING VERIFICATION BY NATIONAL TECHNICAL MEANS. IT WOULD ELIMINATE GROUNDS FOR ADVANCING--ON THE PRETEXT OR ENSURING UNHINDERED OPERATION OF NATIONAL TECHNICAL MEANS--UNFOUNDED COMPLAINTS ABOUT THE ACTIVITIES OF ONE SIDE OR THE OTHER, WHICH ARE CONSISTENT WITH THE LIMITATIONS BEING ESTABLISHED. PRECLUDING THE POSSIBLLITY OF MISUNDERSTANDINGS ON THESE GROUNDS WOULD BE IN THE INTERESTS OF BOTH SIDES.

THE USSR DELEGATION WOULD LIKE TO EMPHASIZE THAT FROM THE STANDPOINT OF THE TASKS OF VERIFICATION BY NATIONAL TECHNICAL MEANS OF COMPLIANCE WITH THE AGREEMENT BEING WORKED OUT, THERE ARE NO GROUNDS AT ALL FOR CHANGING CURRENT TESTING PRACTICES.

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S E C R E T SECTION 2 OF 2 GENEVA 4432

EXDIS USSALTTWO

AT THE MAY 13 AND 27, 1977 MEETINGS THE U.S. DELEGATION REFERRED TO THE PROBLEMS INVOLVED IN MONITORING BY NATIONAL TECHNICAL MEANS THE ACTIVITIES OF THE SIDES DURING THE TESTING PHASE. WE ARE GAINING THE IMPRESSION THAT THE U.S. DELEGATION'S OBJECTIONS TO THE PROVISION ON RETAINING CURRENT TESTING PRACTICES ARE LINKED TO CONCERN ABOUT THE POSSIBILITY OF ACTIONS AIMED AT CONCEALING THE ASSOCIATION BETWEEN ICBMS AND THEIR LAUNCHERS DURING TESTING. IF THAT IS SO, THE SOVIET SIDE COULD CONSIDER THE QUESTION OF AN UNDERTAKING BY THE SIDES TO REFRAIN FROM ACTIONS OF THIS KIND.

SHOULD ANY AMBIGUOUS SITUATION ARISE IN CONNECTION WITH COMPLIANCE WITH ANY OF THE PROVISIONS OF THE AGREEMENT BEING

WORKED OUT, THEY COULD BE APPROPRIATELY CONSIDERED IN THE
SCC, AS AGREED BETWEEN THE SIDES.

IT IS EVIDENT FROM THE DISCUSSIONS HELD THAT IN WORKING
OUT THE FORMULATIONS OF ARTICLE XVI, PAR. 3, IT IS NECESSARY
TO PRECLUDE ANY IMPRECISION WHATSOEVER IN THE UNDERSTANDING
OF THE TERM "DELIBERATE CONCEALMENT MEASURES."

IN THIS CONNECTION, WE ARE BEWILDERED BY THE CONSIDERA-
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TION YOU EXPRESSED AT THE MAY 27, 1977 MEETING REGARDING
THE SOVIET PROPOSAL ON INCLUDING THE WORD "SPECIAL" IN THE
AGREED STATEMENT. WITHOUT IN ANY WAY AT ALL EXCLUDING THE
MEASURES WHICH WOULD BE SUBJECT TO PROHIBITION FROM THE
SCOPE OF APPLICATION OF THE PROVISIONS IN ARTICLE XVI, PAR. 3,
THE WORD "SPECIAL" IMPARTS SPECIFICITY TO THE MEANING OF THE
TERM "DELIBERATE CONCEALMENT MEASURES," PREVENTING THE POSSI-
BILITY OF ARBITRARILY INCLUDING AMONG THEM ACTIONS WHICH ARE
NOT DELIBERATE CONCEALMENT MEASURES.

THE SOVIET PROPOSAL THAT THE AGREED STATEMENT TO ARTI-
CLE XVI, PAR. 3, CONTAIN A PROVISION TO THE EFFECT THAT
METHODS OF TRANSMITTING TELEMETRIC INFORMATION DURING TESTING
ARE NOT DELIBERATE CONCEALMENT MEASURES WAS ALSO PROMPTED
BY THE DESIRE TO ENSURE THAT THE FORMULATIONS BEING WORKED
OUT ARE PRECISE AND UNAMBIGUOUS. THE PRESENCE OF SUCH A
PROVISION IN THE TEXT OF THE AGREED STATEMENT WOULD PRECLUDE
THE POSSIBILITY OF ATTEMPTS TO INTERFERE WITH TECHNICAL
ACTIVITIES WHICH ARE THE INTERNAL AFFAIR OF EACH SIDE.

IT IS OBVIOUS THAT SUCH ATTEMPTS WOULD BE CONTRARY TO THE
OBJECTIVES OF THE ONGOING NEGOTIATIONS.

AS FOR THE CONSIDERATIONS EXPRESSED HERE BY THE U.S.
DELEGATION TO THE EFFECT THAT METHODS OF TRANSMITTING TELE-
METRIC INFORMATION MAY ALLEGEDLY BE USED FOR DELIBERATELY
IMPEDING VERIFICATION BY NATIONAL TECHNICAL MEANS, THESE
ARE UNFOUNDED. METHODS OF TRANSMITTING TELEMETRIC INFORMA-
TION TO NOT IN ANY WAY GO BEYOND THE FRAMEWORK OF THE
OBLIGATIONS PROVIDED FOR IN ARTICLE XVI, PAR. 2, NOT TO
INTERFERE WITH THE NATIONAL TECHNICAL MEANS OF VERIFICATION
OF THE OTHER SIDE IN CARRYING OUT THEIR FUNCTIONS.

AS THE SOVIET SIDE HAS EMPHASIZED REPEATEDLY, THE CONTENT
OF TELEMETRIC INFORMATION AND THE METHODS OF ITS TRANSMISSION
ARE ENTIRELY WITHIN THE AREA OF THE INTERNAL SCIENTIFIC AND
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TECHNICAL DECISIONS OF EACH SIDE AND ARE NOT THE SUBJECT OF LIMITATIONS UNDER THE AGREEMENT.

THUS, THE SOVIET SIDE BELIEVES THAT THE BAN ON DELIBERATE CONCEALMENT MEASURES DOES NOT AFFECT METHODS OF TRANSMITTING TELEMETRIC INFORMATION DURING TESTING.

AT THE MAY 13 AND 27, 1977 MEETING THE U.S. DELEGATION EXPRESSED JUDGEMENTS REGARDING SO-CALLED "MEASURES AND PRACTICES WHICH RESULT IN UNINTENTIONALLY IMPEDING VERIFICATION BY NATIONAL TECHNICAL MEANS." IN PARTICULAR, IT WAS SAID THAT THE REASONS FOR THE SOVIET SIDE'S NEGATIVE ATTITUDE TOWARD THIS PROVISION ARE NOT CLEAR TO THE U.S. SIDE. I WOULD LIKE TO EXPLAIN THAT SUCH A VAGUE PROVISION WOULD OPEN THE DOOR FOR ATTEMPTS BY ONE SIDE TO INTERFERE IN THE TECHNICAL ACTIVITIES OF THE OTHER UNDER THE PRETEXT THAT, ALTHOUGH THE PRACTICES USED BY THAT SIDE MAKE SENSE, THEY SHOULD BE CHANGED, INASMUCH AS THEY PURPORTEDLY IMPEDE VERIFICATION BY THE NATIONAL TECHNICAL MEANS OF THE OTHER SIDE.

IN THIS CONNECTION, I WOULD LIKE TO REMIND YOU THAT THE PROPOSALS OF THE SOVIET SIDE, WHICH ARE UNDER CONSIDERATION BY THE DELEGATIONS, ON THE QUESTIONS OF ARTICLE XVI, PAR. 3, AND THE AGREED STATEMENT THERETO HAVE BEEN TABLED ON THE UNDERSTANDING THAT THE THIRD SENTENCE OF THE U.S. WORDING FOR ARTICLE XVI, PAR. 3, BE WITHDRAWN. KLOSSON

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